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NORTHERN DISTRICT OF CALIFORNIA

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DENISE R. REED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DENISE R. REED,

Petitioner,

vs.

WHITE PACIFIC SECURITIES, INC.  
and ROY L. PANELLI,

Respondents.

CASE NO.

3648

PETITIONER DENISE R. REED'S  
PETITION TO CONFIRM  
ARBITRATION AWARD AGAINST  
RESPONDENTS WHITE PACIFIC  
SECURITIES, INC. AND ROY L.  
PANELLI

Petitioner DENISE R. REED ("Reed"), by and through her attorneys, Shustak & Partners, P.C., submits her Petition to Confirm Arbitration Award rendered in her favor and against Respondents WHITE PACIFIC SECURITIES, INC. and ROY L. PANELLI, (collectively, "Respondents") and respectfully alleges:

JURISDICTION AND VENUE

1. Reed brings this civil action in accordance with 9 U.S.C. § 9, *et seq.*, to confirm the arbitration award in her favor and against Respondents in an arbitration before the National Association of Securities Dealers ("NASD"), bearing NASD Case No. 04-03449 (the "Arbitration Award"). A true and correct copy of the Arbitration Award, which the NASD served on all parties

1 on June 5, 2007, is marked and attached to the Declaration of Jonah A. Toleno ("Toleno Dec."),  
2 submitted in support of this Petition, as Exhibit "A".

3 2. Jurisdiction and Venue are proper in this Court pursuant to 9 U.S.C. § 9, *et seq.*, as the  
4 Arbitration Award was rendered within this District.

5 **PARTIES**

6 3. Petitioner Reed resides at Reno, Nevada.

7 4. Respondent WHITE PACIFIC SECURITIES ("White Pacific") is a Nevada corporation  
8 with a principal place of business at 231 Sansome St., Suite 4f, San Francisco, CA 94104.

9 5. Respondent ROY L. PANELLI ("Panelli") is an employee of White Pacific who, upon  
10 information and belief, resides in California.

11 **MATERIAL ALLEGATIONS**

12 6. Reed hereby refers to the concurrently filed Declaration of Jonah A. Toleno ("Toleno  
13 Dec."), and incorporates that Declaration by reference as though fully set forth in this Petition.  
14

15 7. Reed initiated the arbitration against Respondents based on Respondents' inaccurate  
16 reporting of certain events on Reed's Forms U-4 and U-5 filed with the Central Registration  
17 Depository ("CRD"). Reed sought expungement of these inaccurate Forms U-4 and U-5, and  
18 also alleged causes of action against Respondents for defamation, breach of contract, breach of  
19 the implied covenant of good faith and fair dealing, and negligence.  
20

21 8. The matter proceeded to hearing on April 16 - 18, 2007. After the arbitration panel  
22 completed a study of all of the facts, circumstances, elements, and proofs regarding the  
23 controversies submitted to them, the panel came to a decision and made its Arbitration Award.  
24

25 9. The panel served its Arbitration Award on the parties on June 5, 2007. The  
26 Arbitration Award granted Reed's request for expungement of her Forms U-4 and U-5. The  
27 panel further deemed Reed the prevailing party and thus awarded in favor of Reed and against  
28

1 White Pacific her reasonable attorney's fees in the amount of \$158,797.10 and her costs and  
2 expenses of suit in the amount of \$5,603.70. (Toleno Dec., ¶4, Ex. A, ¶4).

3  
4 10. As of the current date, White Pacific has only submitted payment of \$5,603.70 to  
5 cover Reed's costs and expenses. As a result, Reed is still owed the entirety of her attorney's  
6 fees in the amount of \$158,797.10. (Toleno Dec., ¶5)

7  
8 **WHEREFORE**, Reed requests that the Arbitration Award be confirmed and that  
9 judgment be entered in favor of Reed and against White Pacific in the amount of \$158,797.10,  
10 plus post-judgment interest from June 5, 2007, until such time as this amount is fully paid at the  
11 legal rate of 10% per annum.

12  
13  
14 Dated: July 16, 2007

SHUSTAK & PARTNERS, P.C.

15  
16  
17 By: 

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